

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: **Jotham W. Coe, et al.**

APPLICATION NO.: **10/657,738** : Examiner: **Rao, Deepak R**
FILING DATE: **September 8, 2003** : Group Art Unit: **1624**
TITLE: **DIAZABICYCLIC COMPOUNDS USEFUL IN
THE TREATMENT OF CNS AND OTHER
DISORDERS** :

Attn.: PCT Legal Staff
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**PETITION FOR REVIVAL OF UNINTENTIONALLY ABANDONED APPLICATION UNDER 37
C.F.R. §1.137(b)**

The above-identified application became abandoned due to Applicant's failure to timely file a proper reply to the Office letter mailed September 28, 2006. A proposed reply was received by the USPTO on March 27, 2007, but did not constitute a proper reply under 37 CFR 1.113(a) to the final rejection as a Notice of Appeal (with Appeal Fee) was not timely filed.

Applicants hereby petition for revival of this application. As noted above, the reply to the September 28, 2006 Office Action in the form of an Amendment after Final Rejection was previously filed on March 27, 2007. A Notice of Appeal is filed herewith.

Pursuant to 37 CFR 1.137(b), applicants also state the following:

- a) the failure to file a Notice of Appeal (with Appeal Fee) was unintentional;
- b) no terminal disclaimer or disclaimer fee is required as this application has an international filing date after June 8, 1995; and
- c) the petition fee is the fee for other than a small entity under 37 CFR § 1.17(m). The Commissioner is hereby authorized to charge this fee to Deposit Account No. 16 1445.

The Commissioner is also hereby authorized to charge any fees required under 37 C.F.R. §§1.16 and 1.17 or to credit any overpayment to Deposit Account No. 16-1445.

Date: July 31, 2007

/Sandra Kim/

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